

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,

CASE NO. 3:12-CR-21

Plaintiff,

JUDGE ROSE

vs.

GEORGE DAOUD

**DEFENDANT'S SENTENCING
MEMORANDUM**

Defendant.

Now comes Defendant, **GEORGE DAOUD**, by and through counsel, **RION, RION & RION, L.P.A., INC.**, and hereby respectfully submits this Sentencing Memorandum.

Letters in support are attached hereto.

Respectfully submitted,

S/ JON PAUL RION
JON PAUL RION (#0067020)
RION, RION & RION, L.P.A., INC.
Suite 2150
130 West Second Street
P. O. Box 10126
Dayton, Ohio 45402
(937) 223-9133

MEMORANDUM IN SUPPORT

MAY IT PLEASE THE COURT:

Mr. Daoud is a loving husband, father and a devoted member of his church. Mr. Daoud has had several successful businesses and has created jobs in the Dayton, Ohio area. Also, Mr. Daoud is known for showing support throughout the community by advertising local events and fundraisers. There are several letters attached from family and friends that support Mr. Daoud, and further explain his positive influences on his family and his community.

7 USC 2024(b)(2) empowers the court to suspend imposition of any sentence if restitution is a reasonable alternative, stating:

In the case of any individual convicted of an offense under paragraph (1) of this subsection, the court may permit such individual to perform work approved by the court for the purpose of providing restitution for losses incurred by the United States and the State agency as a result of the offense for which such individual was convicted. If the court permits such individual to perform such work and such individual agrees thereto, the court shall withhold the imposition of the sentence on the condition that such individual perform the assigned work. Upon successful completion of the assigned work the court may suspend such sentence.

The legislature sends a clear message to the judiciary by adding 2024(B)(2) to the statute.

United States v. Dennison, 493 F. Supp.2d 139 (2007). In that case, the district court in Maine specifically found that the legislature's failure to repeal sentencing suspensions pursuant to 2024 constitutes a "congressional preference for restitution." *Id.*

Therefore because Mr. Daoud's offense revolved around 18 USC 2024, because the legislature has indicated a preference for restitution over punishment, and because Mr. Daoud has made full restitution, it is respectfully requested that a suspended sentence be imposed, or in the alternative, a sentence of probation.

Respectfully Submitted,

S/ JON PAUL RION
JON PAUL RION
RION, RION & RION, L.P.A., INC.

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that a copy of the foregoing was sent to the Office of the United States Attorney on the same day of filing.

S/ JON PAUL RION
JON PAUL RION
RION, RION & RION, L.P.A., INC.